

METROPOLITAN
COMMUNITY COLLEGE

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Office of the Secretary
Federal Communications Commission
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re: MM DOCKET 93-106

To the Members of the Commission

Metropolitan Community College is a public two-year institution serving four counties in eastern Nebraska. We hold license WHR-980 for the G channel group of ITFS transmission.

We have been approached by several MMDS operators, and have chosen not to enter into agreements with them. Our experience prompts replies to your questions posed in MM DOCKET 93-106.

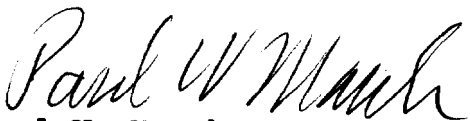
We at Metropolitan Community College are quite concerned over the proposed FCC rule-making which deals with channel loading of ITFS channels. The scenario offered deals with four ITFS licensees in

it is done by rule OR by waiver. The scheme may assure ONE educator's ability to meet future needs, but it surely does not meet the needs of the public's increasing need for education from many sources.

I would suggest that the other potential educational users be brought into the discussion, and be permitted to request assignment of the unnecessarily acquired ITFS channels, BEFORE a wireless cable operator is permitted to participate.

Specific answers to questions posed in the NPRM:

1. We are very concerned about channel loading as a concept. It is a very obvious illustration of the lack of need of one licensee for the channels it requested.
2. All channels of the licensee should be used, to some extent, for educational purposes, as originally intended.
3. A specified number of required programming hours should be set during the days and hours that citizens need education; we strongly believe that those hours are nearly continuous between 6:00 am and 11:00 pm Monday through Saturday, and perhaps noon through 11:00 pm Sunday.
4. Ready recapture of all channels absolutely must be provided; if the current licensee is not interested in utilizing the channels, there must be provision for other qualified local educational agencies to have priority access and/or ability to acquire licenses for those channels, when bona fide educational needs become established later in the license's life.
5. There is no need for comparative advantage being provided among mutually exclusive applicants, if the original intent of the ITFS service remains intact. There should be strong and decisive advantage within the license application procedure, to those applicants who pledge to not enter into agreement for non-educational use of the channel(s) with MMDS operators or other entities.
6. The number of channels authorized should continue to "be based on the demonstration of need for the number of channels requested." The financial viability of an MMDS operator should not be one of the "needs" demonstrated. ITFS is for education, NOT for a way to weasel around FCC rules and ITFS intent.



Paul W. Marsh
Director, Instructional Resources
Technology